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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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09/893,260

06/27/2001

Srinivas Gutta

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10/13/2006

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

NGUYEN, QUYNH H

ART UNIT

PAPER NUMBER

2614

DATE MAILED: 10/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 09/893,260 | GUTTA ET AL. | |
| | Examiner | Art Unit | |
| | Quynh H. Nguyen | 2614 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 9-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 9-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's remarks filed 7/5/06 has been entered. Claims 1, 9-10, and 17 have been amended. Claim 8 has been cancelled. No claims have been added. Claims 1-19 are still pending in this application, with claims 1, 9, 10, 17, and 18 being independent.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

3. Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yacenda et al. (U.S. Patent 5,822,418) in view of Lu (U.S. Patent 5,031,228).

Regarding claims 1, 2, 8, and 9, Yacenda et al. teach a system comprising a control unit ("locator system") for locating and routing telephone calls for the individuals that includes the steps of positioning a plurality of transceivers in two or more regions of a local environment ("closed environment") (col. 2, lines 27-30) each begin serviced by telephone extension (Fig. 1, telephones 12, 14, and 16). The central computer 20 is utilized to process the information received from the remote badges to determine the identity of the person associated with the respective badge or generate an indicium associated with the respective badge associated with the identity of the person (col. 4,

lines 29-35 and lines 60-64; col. 13, lines 31-32), the control unit being operative to automatically route an incoming call to the identified known persons at a telephone extension based on the respective identified region without an input by a caller (col. 18, lines 62-65; col. 16, lines 16-19 and lines 51-53). The transceivers receive transmissions from the badges and relay the information to the central processor that in turn directs incoming calls for each particular person to their detected location.

What differs between Yacenda and the instant patent application is that Yacenda teaches determining the identity of a person associated with the respective badge and transmitting the information to transceivers; while the instant application detecting the identity of a person (face) by a the use of the processed image (a camera).

Lu teaches the system and method to provide image recognition for identifying directions within a monitored area corresponding to the possible locations of individual audience members. A video camera 28 is pointed to the audience members within the monitored area to capture the images, an identified portion of the processed video image is compared with the stored feature image signature corresponding to each predetermined individual member's face of a viewing audience to identify the audience member (col. 2, lines 9-12 and 47-60, col. 4, lines 23-38).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Lu, into the teachings of Yacenda in order to have an alternative method of locating a person using cameras to capture audience's faces instead of using transceiver and remote badges. Utilizing the cameras to determine the identity of a known person is the prefer one in this application.

Regarding claims 3-6, Yacenda et al. teach the control unit generate a signal when associating the known person with the respective location and output to the PBX, the PBX uses the signal to create a record ("personal information") that associates the known person with the telephone exchange servicing the respective region in which the known person is located and the PBX re-direct incoming calls for each particular person to their detected location (col. 4, lines 4-35).

Regarding claim 7, Yacenda et al. do not explicitly teach for each known person identified, that associates the known person with the respective region is incorporated in a record maintained in the control unit. It would have been obvious to one of ordinary skill in the art that in order to re-direct incoming calls for each person to their detected location, there is a need to maintain a record such that for each known person identified, associates the known person with the respective region is incorporated in that record.

Limitations a and b of claim 10 and claim 17 are rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Yacenda et al. teach identifying a desired recipient of the incoming call (col. 4, lines 24-29 and col. 5, lines 5-9); determining whether the desired recipient is one of the known persons identified in one of the regions (col. 4, lines 29-32); connecting the incoming call to an extension servicing the respective region in which the desired recipient is located (col. 4, lines 16-18).

Regarding claims 11 and 12, Lu teaches for one or more regions, directing at least one camera to at least a portion of the region or positioning a camera to capture images (col. 5, lines 3-50).

Regarding claim 13, Lu teaches applying image recognition processing to the images (col. 4, lines 23-39).

Regarding claims 14-16, Lu teaches accessing a database of image data for the group of known persons (col. 2, lines 47-49); creating a record associating each known person identified from the captured images with the respective region in which the known person is located and searching the records relating to each known person and the respective region in which the known person is located (col. 2, lines 22-60).

4. Claims 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yacenda et al. (U.S. Patent 5,822,418) in view of Lu (U.S. Patent 5,031,228) and further in view of Griffith et al. (EP0905956A2).

Claim 18 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Yacenda teaches re-directing incoming calls to identify persons in their detected locations (col. 4, lines 16-18); continuously update locations of the called party so as to enable the caller to track the locations of the called person in order to re-route incomings for the particular person at his or her identified locations (col. 4, lines 60-64). Yacenda and Lu do not specifically suggest if not known persons are identified in any region, directs an incoming call to a region where any person is detected.

Griffith et al. teaches id an agent is not available at the particular location; the call is routed to another closest agent (col. 9, lines 7-9).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Griffith into the teachings of Yacenda and Lu thus making the system more efficient and user-friendly by always having a qualified live agent to assist customer handling emergency calls.

Regarding claim 19, Yacenda teaches if a known person is in a region wherein no phone is present, the control unit will direct an incoming call for that known person to an adjacent region where a phone is present (Fig. 24C, 1979; col. 19, line 66 though col. 20, line 3 - *where Yacenda discussed establishing telephone link with a telephone nearest the location of the called party*).

Response to Arguments

5. Applicant's arguments filed 7/5/06 with respect to claims 1-19 have been fully considered but they are not persuasive.

Applicant's arguments are address in the above claims rejections.

Applicant mainly argues that Lu does not teach that data including captured image and sent to a processing center contains the identification of the location where the image were captured (remarks, page 6). Examiner respectfully disagrees. Lu teaches locating individual audience members in the monitored area (col. 2, lines 9-12 and lines 49-51; col. 4, lines 34-37). The primary reference, Yacenda teaches data including identification information sent to a processing center (col. 2, lines 2-6 - *central*

processing unit) contains the location where the individual identity was captured (col. 2, lines 27-30). The combination of the two references teaches the claims invention.

Applicant further argues that Lu teaches the identified person is associated with a certain TV program. Whether the person watches, for example, a classical music channel in one or another monitored location makes no difference for the system taught by LU (remarks, page 7). This is irrelevant.

Applicant argues that if the image recognition system of Lu was incorporated in Yacenda, data received by a central processing unit would be able to identify a person based on the captured images. But this data would not have information regarding the location where the image was captured, since Lu does not suggest associating the person with the location or identifying the person based on the location (remarks, page 7). Examiner respectfully disagrees. Yacenda teaches determining the identity of a person associated with the respective badge and transmitting the information to transceivers 50, 52, and 54; and the data including identification information sent to a processing center (col. 2, lines 2-6 - *central processing unit*) contains the location where the individual identity was captured (col. 2, lines 27-30). Lu teaches the system and method to provide image recognition for identifying directions within a monitored area corresponding to the possible locations of individual audience members. A video camera 28 is pointed to the audience members' face within the monitored area to capture the images, an identified portion of the processed video image is compared with the stored feature image signature corresponding to each predetermined individual member's face of a viewing audience to identify the audience member (col. 2, lines 9-12

and 47-60, col. 4, lines 23-38). The modification of Yacenda's system badge and transceiver by a face and a camera of Lu would teach the claims invention.

Applicant argues that in Yacenda, the caller may select display functions such as track and audit and does not allow for automatically routing the incoming call to the searched party. Examiner respectfully submits that this is only in one embodiment, other embodiments allow for automatically routing the incoming call to the searched party.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 571-272-

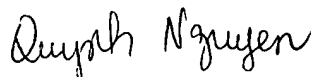
Art Unit: 2614

7489. The examiner can normally be reached on Monday - Thursday from 6:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan, can be reached on 571-272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

October 12, 2006



Quynh H. Nguyen
Primary Examiner
Art Unit 2614